

INTRODUCTION

About Wisconsin's Smart Growth Legislation

General Overview

As part of the state's 1999-2000 biennial budget, Governor Thompson signed into law what is referred to as the "Smart Growth" legislation (1999 Wisconsin Act 9). Briefly, Smart Growth does the following:

- Requires local governmental units to adopt and implement a comprehensive plan, as defined in the legislation, by January 1, 2010, in order to carry out any action that affects land use.
- Establishes 14 comprehensive planning goals to be applied in three ways: (1) as guidance for state agencies; (2) as a benchmark for local governmental units that prepare a state-mandated plan; and (3) by the Wisconsin Land Council in allocating planning grants (Appendix A).
- Provides state funding to help local units of government pay for preparing and adopting comprehensive plans.
- Establishes a "smart growth" dividend aid program that will provide state funding to cities, villages, towns and counties based on the number of credits that a governmental unit earns. Funds will be disbursed beginning with the 2005-06 fiscal year. As of yet, specific rules have not been adopted for this program.
- Requires cities, villages and towns with a population of at least 12,500, to adopt ordinances for what is referred to as traditional development and conservation subdivisions. Although these governmental units must adopt these ordinances, they do not have to implement them unless they want to promote these types of development patterns.
- Delegates additional responsibility to the Wisconsin Land Council for oversight of the Smart Growth legislation.

Comprehensive Planning

The Smart Growth legislation significantly changed the stature of comprehensive planning in the state and places it very high on a local governmental unit's "to do" list. Although state statutes do not require local governmental units to adopt comprehensive plans consistent with the requirements, it provides that if a local governmental unit does not do so by January 1, 2010, it may not enforce existing or adopt new ordinances, plans, or regulations that in anyway affect land use.

If a community wants to prepare a comprehensive plan, it must follow various substantive and procedural requirements. Major provisions relating to comprehensive planning are listed in Exhibit A-1¹.

Exhibit A-1. Comprehensive Plans and State Statutes: A Summary

- **Contents.** A plan at a minimum shall contain specified information in the following nine elements: issues and opportunities; housing; utilities and community facilities; agricultural, natural and cultural resources; economic development; intergovernmental cooperation; land use; and implementation.
- **Effect of Comprehensive Plan.** Beginning January 1, 2010, all existing and new programs or actions of a local governmental unit that affect land shall be consistent with a comprehensive plan.
- **Public Participation.** The local governmental unit shall adopt written procedures that it will use to foster public participation.
- **Adoption.** The plan commission or other body of a local governmental unit prepares and recommends adoption of a comprehensive plan. Following a public hearing, the local governmental unit then adopts a plan.

Compiled by: Mid-America Planning Services, Inc.

¹ Interested parties should refer to state statutes (§66.1001) for the actual language.

Purpose of this Plan

Although this plan has been prepared and adopted to meet the state requirements for comprehensive plans, it is much more than that. It is a statement reflecting community pride and how residents want the Town to manage growth and development in the future. It will help elected officials make decisions that reflect the short- and long-term wishes of the community. It will help prioritize the Town's human and financial resources so it can provide the necessary public infrastructure and amenities needed to maintain a high quality of life. It will also help to foster a sustainable economy that is in keeping with its rural character.

Regional Context

The town of Cottage Grove is located in eastern Dane County, Wisconsin, about 1½ miles east of Madison and 65 miles west of Milwaukee. Its land area includes about 33.7 square miles. It is bisected by County Highways BB and N, bordered on the north by I-94 and US Highway 12/18 runs through the southern part.

The Town is bordered on the north by the town of Sun Prairie and the town of Pleasant Springs to the south. The town of Deerfield is located to the east and the Town of Blooming Grove is to the west. The village of Cottage Grove is located in the northern part of the Town, along County Trunks N and BB and includes 1,480 acres. Pursuant to state statutes,² the Village could extend its extraterritorial authority into the Town 1½ miles in all directions. This extraterritorial area encompasses some 17,225 acres. Collectively, the area of the Village and the extraterritorial area accounts for about 81 percent of the original town.

Previous Planning Efforts

The most recent planning effort resulted in the adoption of a master plan on November 6, 1995. The Dane County Regional Planning Commission prepared the document on behalf of the Town. It consists of some 68 pages and follows a traditional approach to comprehensive planning. However, it does not meet the new requirements of state law for comprehensive planning in all respects. Given the new legislation, the Town felt that it would be appropriate to create a new plan from scratch, rather than revising and reorganizing the 1995 Plan to meet the new requirements. Ideas and recommendations from the 1995 Plan were incorporated into this plan where appropriate. Upon adoption, this plan will supersede the 1995 Plan and all other previously adopted plans.

Planning Horizon

Consistent with state statutes, this plan considers the next 20-year period.

² See state statutes §62.23 (7a).

Plan Preparation and Adoption

Although the idea behind comprehensive planning is rather straightforward, the preparation of this plan entailed a great deal of work, a commitment on the part of many individuals, boards and agencies, and an extensive public participation program.

Background information for this plan came from a variety of sources. Some of the information came from existing databases and publications and are listed in the front part of this plan. In addition, the consultant conducted visual surveys to collect information about land use, traffic conditions, housing conditions, and the like. As described in more detail below, a community-wide survey was also conducted. And finally, personal interviews were conducted with 12 individuals, including Town employees, Plan Commission members, elected officials and selected business leaders. Based on this information, a detailed vision of the community was devised by the participants as contained in the goals and objectives.

Throughout the planning process, public participation has been of prime importance and began even before the plan was drafted. Consistent with state statutes (§66.1001(4a)) the Town developed a public participation program to ensure that residents were informed about the plan and given meaningful opportunities to participate and help shape the final product. A copy is included as Appendix B.

In all, 20 public meetings were conducted beginning in July 2000. On October 9, 2001, the Plan Commission passed a resolution that recommended adoption of the comprehensive plan. Copies of the proposed Plan were then sent to the following, as required by state statute (§66.1001(4b)), for review and comment:

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| ▪ Town of Blooming Grove | ▪ Village of Cottage Grove |
| ▪ Town of Burke | ▪ Dane County Regional Planning Commission |
| ▪ Town of Christiana | ▪ Dane County |
| ▪ Town of Deerfield | ▪ Wisconsin Land Council |
| ▪ Town of Dunn | ▪ Pinney Public Library |
| ▪ Town of Medina | |
| ▪ Town of Pleasant Springs | |
| ▪ Town of Sun Prairie | |

Following this phase of public review, the Town Board held a public hearing allowing for the required public notice. Following adoption, copies of the ordinance and plan were mailed to the Pinney Public Library and the clerk of all adjacent local governmental units consistent with state law.

Community Survey

In order to obtain up-to-date information about the residents and their views, Mid-America Planning Services administered a written survey the fall of 2000. The five-page survey consisted of over 55 questions covering a wide range of issues. A survey was mailed to each of the 1,254 households in the Town. After two weeks, those not returning a survey were mailed a second survey. In all, 70 percent of the surveys were returned. Survey results were compiled and are included as Appendix C. Survey responses are reported in the aggregate along with various sub-groups.